

**HAVERSTOCK & OWENS LLP**  
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(408) 530-9700  
Customer No.: 28960

Inventor: Scott D. Smyers et al.  
 Serial No.: 09/608,617  
 Filed: June 30, 2000  
 Entitled: METHOD OF AND APPARATUS FOR WRITING AND READING TIME SENSITIVE DATA WITHIN A STORAGE DEVICE  
 Group Art Unit: 2171  
 Examiner Name: Filipczyk, Marcin R.

**MAIL STOP RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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AUG 1 0 2004

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Technology Center 2100

**Sir:**

**This is a Request for a Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.**

**CERTIFICATION UNDER 37 CFR § 1.08**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to : Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop RCE, August 3, 2004.

Juan Rascon  
(Name of Person Mailing Paper)

Signature \_\_\_\_\_

**1. Submission required under C.F.R. § 1.114**

a. Previously submitted

i. \_\_\_\_\_ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)

ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on

iii. Other

**b. X                      Enclosed**

i.                      **Amendment/Reply**

ii Affidavit(s)/Declaration(s)

**iii. Information Disclosure Statement (IDS)**

iv. ☒ Other Preliminary Amendment

## 2. Miscellaneous

a. \_\_\_\_\_ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months.  
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

3. b. \_\_\_\_\_ Applicant is entitled to small entity status

4. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37C.F.R. § 1.114 when the RCE is filed.

a. X The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No.: 08-1275

i.   X   RCE fee required under 37 C.F.R. § 1.17(e)

ii. Extension of time fee (37 C.F. R. § § 1.136 and 1.17)

iii. ☒ Other Two new independent claim \_\_\_\_\_

b.   X   Check in the amount of \$942.00 (\$770.00 to cover the request for continued examination filing fee plus \$172.00 for two new independent claims) enclosed

c.                      Payment by credit card (form PTO-2038 enclosed)

5. X **Return Receipt Postcard**

**Dated: August 3, 2004**

By: Jonathan O. Owens  
Name: Jonathan O. Owens  
Registration No.: 37.902

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